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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/737,246	
	Filing Date	December 13, 2000	
	First Named Inventor	LU, PETER S.	
	Group Art Unit	1647	
	Examiner Name	Bunner, Bridget E.	
Total Number of Pages in This Submission	37	Attorney Docket Number	VITA-003

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**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for <input type="checkbox"/> CD, Number	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

Attachement or Receipt  
and attache Amendment  
Sheet

Receipt  
pt

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

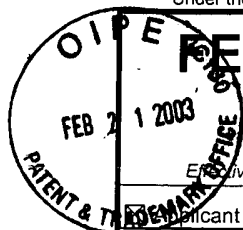
Signing Attorney/Agent (Reg. No.)	JAMES S. KEDDIE, PH.D., 48,920 BOZICEVIC, FIELD & FRANCIS, LLP
Signature	<i>James S. Keddie</i>
Date	February 14, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: February 14, 2003.	
Typed or printed name	Susan M. Alessi
Signature	<i>Susan M. Alessi</i>
Date	February 14, 2003

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# **FEE TRANSMITTAL** **for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

Significant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 465

## Complete if Known

Application Number 09/737,246

Filing Date December 13, 2000

First Named Inventor LU, PETER S.

Examiner Name

Art Unit

Attorney Docket No. VITA-003

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 50-0815

Deposit Account Name Bozicevic, Field &amp; Francis LLP

The Commissioner authorized to: (check all that apply)

☒ Charge fees indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Entity Fee Code	Fee Description	Fee Paid
1001	750	2001 375	Utility filing fee	
1002	330	2002 165	Design filing fee	
1003	520	2003 260	Plant filing fee	
1004	750	2004 375	Reissue filing fee	
1005	160	2005 80	Provisional filing fee	

SUBTOTAL (1)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Indep. Claims	-3** =	x	=
Multiple Dependent			=

Large Fee Code	Entity Fee (\$)	Small Entity Fee Code	Fee Description
1202	18	2202 9	Claims in excess of 20
1201	84	2201 42	Independent claims in excess of 3
1203	280	2203 140	Multiple dependent claim, if not paid
1204	84	2204 42	** Reissue independent claims over original patent
1205	18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

\*\*or number previously paid, if greater; For Reissues, see above.

## 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examination action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	465
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1406	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 465

## SUBMITTED BY

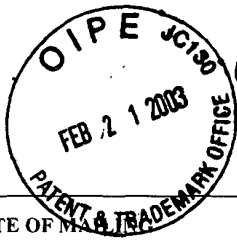
## Complete (if applicable)

Name (Print/Type)	James S. Keddle, Ph.D.	Registration No. (Attorney/Agent)	48,920	Telephone	(650) 327-3400
Signature	<i>James S. Keddle</i>			Date	02/14/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Atty Dkt. No. VITA-003  
USSN: 09/737,246

CERTIFICATE OF MAIL			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Office of Initial Patent Examination, Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Susan M. Alessi		
Signature	<i>Susan M. Alessi</i>	Date	February 14, 2003
<b>REQUEST FOR CORRECTED FILING RECEIPT</b>  Address to: Office of Initial Patent Examination Commissioner for Patents Washington, D.C. 20231		Attorney Docket	VITA-003
		Applicant	LU, PETER S.
		Serial Number	09/737,246
		Filing Date	December 13, 2000
		Group Art Unit	
		Examiner Name	
		Title:	"CLASP-3 TRANSMEMBRANE PROTEIN"

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

- (1) Please correct the "Continuing Data as Claimed by Applicant" as indicated on the attached Application Data Sheet, and the marked-up copy of the Filing Receipt as follows.

~~THIS APPLN CLAIMS BENEFIT OF 60/240,508 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,539 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000  
AND CLAIMS BENEFIT OF 09/547,276 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,267 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,527 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,528 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,460 04/11/2000  
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000  
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000  
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999  
AND CLAIMS BENEFIT OF 60/162,498 10/29/1999  
AND CLAIMS BENEFIT OF 60/160,860 10/21/1999~~

**THIS APPLICATION CLAIMS BENEFIT OF 60/240,508 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,539 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000  
AND TAKES PRIORITY FROM 09/687,837 10/13/2000**

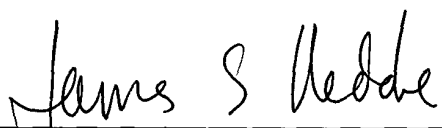
AND TAKES PRIORITY FROM 09/547,276 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,267 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,527 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,528 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,460 04/11/2000  
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000  
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000  
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999  
AND CLAIMS BENEFIT OF 60/162,498 10/29/1999  
AND CLAIMS BENEFIT OF 60/160,860 10/21/1999

If for any reason a fee is found to be necessary, the Commissioner is authorized to charge such fee to  
Deposit Account No. 50-0815.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: February 14, 2003

By: \_\_\_\_\_

  
James S. Keddie, Ph.D.  
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231

# COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

020054-000311US

AT Berapini  
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/737,246	12/13/2000	1645	0.00	20054-000311US	54	37	10

20350  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 8356

## FILING RECEIPT



\*OC000000005856000\*

Date Mailed: 03/13/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Peter S. Lu, Mountain View, CA;  
Jonathan D. Garman, San Jose, CA;  
Albert F. Candia III, Menlo Park, CA;

## Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/240,508 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,503 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,539 10/13/2000  
AND CLAIMS BENEFIT OF 60/240,543 10/13/2000  
AND CLAIMS BENEFIT OF 09/547,276 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,267 04/11/2000  
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AND CLAIMS BENEFIT OF 60/196,528 04/11/2000  
AND CLAIMS BENEFIT OF 60/196,460 04/11/2000  
AND CLAIMS BENEFIT OF 60/182,296 02/14/2000  
AND CLAIMS BENEFIT OF 60/176,195 01/14/2000  
AND CLAIMS BENEFIT OF 60/170,453 12/13/1999  
AND CLAIMS BENEFIT OF 60/162,498 10/29/1999  
AND CLAIMS BENEFIT OF 60/160,860 10/21/1999

PLEASE UPDATE  
PER ATTACHED  
APPLICATION DATA  
SHEET & REQUEST  
FOR CORRECTED  
FILING RECEIPT

## Foreign Applications

If Required, Foreign Filing License Granted 03/09/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Clasp-3 transmembrane protein

**Preliminary Class**

435

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Data entry by : SEDIQEE, AHMADULLAH

Team : OIPE

Date: 03/13/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15 (b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



### STATEMENT OF AVAILABILITY

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

I, J. David Garman, declare:


1. A deposit of nucleic acids AVC-PD16, AVC-PD15, AVC-PD17, AVC-PD14, AVC-PD20, AVC-PD13, AVC-PD19, AVC-PD18, AVC-PD21 and AVC-PD22, has been made and accepted under the provisions of the Budapest Treaty at the ATCC and assigned the following reference numbers PTA-2608, PTA-2609, PTA-2610, PTA-2611, PTA-2612, PTA-2613, PTA-2614, PTA-2615, PTA-2616 and PTA-2616, respectively;
2. All restrictions on the availability to the public of the culture deposited will be irrevocably removed upon the granting of a patent from the above-identified application;
3. The deposit will be maintained for a period of 30 years after the date of deposit or 5 years after the last request for a sample or for the enforceable life of the patent, whichever is longer.
4. The deposit will be replaced if viable samples cannot be dispensed by the depository; and

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom;

Further declarant sayeth not.

Signed this 12 day of February 2002 3

Signature:



A handwritten signature in dark ink, appearing to read 'J. David Garman', is written over a horizontal line.

Printed Name:

J. David Garman

**ATCC**

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE****INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2****To: (Name and Address of Depositor or Attorney)****Arbor Vita Corporation  
Attn: Peter S. Lu, MD  
772 Lucerne Dr.  
Sunnyvale, CA 94085****Deposited on Behalf of: Arbor Vita Corporation****Identification Reference by Depositor:**

Human Clasp-4 5' cDNA Clone: AVC-PD16  
Human Clasp-5 5' cDNA Clone: AVC-PD15  
Human Clasp-4 5' cDNA Clone: AVC-PD17  
Human Clasp-2 5' cDNA Clone: AVC-PD14  
Human Clasp-5 5' cDNA Clone: AVC-PD20  
Human Clasp-1 5' cDNA Clone: AVC-PD13  
Human Clasp-2 5' cDNA Clone: AVC-PD19  
Human Clasp-1 5' cDNA Clone: AVC-PD18  
Human Clasp-3 5' cDNA Clone: AVC-PD21  
Human Clasp-3 5' cDNA Clone: AVC-PD22

**Patent Deposit Designation**

PTA-2608  
PTA-2609  
PTA-2610  
PTA-2611  
PTA-2612  
PTA-2613  
PTA-2614  
PTA-2615  
PTA-2616  
PTA-2617

The deposits were accompanied by:    a scientific description, a proposed taxonomic description indicated above. The deposits were received October 17, 2000 by this International Depository Authority and have been accepted.

**AT YOUR REQUEST: ☒ We will inform you of requests for the strains for 30 years.**

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.


If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested October 25, 2000. On that date, the cultures were viable.

**International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.**

**Signature of person having authority to represent ATCC:**

  
\_\_\_\_\_  
**Frank Simone, Director, Patent Depository**

**Date: January 22, 2001**

cc: William Smith



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/737,246	12/13/2000	Peter S. Lu	020054000311

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 8356



\*OC000000009600438\*

TECH CENTER 1600/2900

MAR 12 2003

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Date Mailed: 03/06/2003

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

## Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ **Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.**
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order:  
Country, Application number, Filing date.
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

☐ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.

☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.



---

Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202